OIPE JC22
MAR 01 2005
PATENT & TRADEMARK OFFICE

IFW

Docket No.: 033905-000024

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|---|---|
| APPLICANT: | Jeffrey C. Herold |
| SERIAL NO.: | 10/678,987 |
| FILING DATE: | 10/02/03 |
| TITLE: | FLEXIBLE TRAVEL BAG WITH INTEGRATED SUPPORT TO PROTECT BAG FROM WEAR |
| EXAMINER: | Phan, Hau Van |
| ART UNIT: | 3618 |

**CERTIFICATE OF MAILING**

I hereby certify that this paper is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 222313-1450, on the date printed below:

Date: 2/28/05 Name: Ruth Rodriquez

**Mail Stop Amendment**
**Commissioner for Patents**
**P.O. Box 1450**
**Alexandria, VA 22313-1450**

## AMENDMENT AND RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Dear Sir:

This paper is responsive to the Notice of Non-Compliant Amendment dated **January 25, 2005**. Please amend the above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 2 of this paper.

**Remarks** begin on page 8 of this paper.

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PTO/SB/21 (09-04)
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# TRANSMITTAL FORM

*(to be used for all correspondence after initial filing)*

Total Number of Pages in This Submission

| | |
|---|---|
| Application Number | 10/678,987 |
| Filing Date | 10/02/03 |
| First Named Inventor | Jeffrey C. Herold |
| Art Unit | 3618 |
| Examiner Name | Phan, Hau Van |
| Attorney Docket Number | 033905-000024 |

**ENCLOSURES** ***(check all that apply)***

- ☐ Fee Transmittal Form
  - ☐ Fee Attached
- ☒ Amendment / Reply
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/ Incomplete Application
  - ☐ Reply to Missing Parts under 37 CFR1.52 or 1.53
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) ____
  - ☐ Landscape Table on CD
- ☐ After Allowance Communication to TC
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to TC **(Appeal Notice, Brief, Reply Brief)**
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) *(please identify below)*:

Postcard

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

| | | | |
|---|---|---|---|
| Firm | THELEN REID & PRIEST, LLP | | |
| Signature | | | |
| Printed Name | Adrienne Yeung | | |
| Date | 2/18/05 | Reg. No. | 44,000 |

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

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|---|---|---|---|
| Signature | | | |
| Typed or printed name | Ruth Rodriquez | Date | 2/22/05 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*

Serial/Patent.No.: 10/678,987 Filing/Issue Date: 10/2/03

Applicant: Jeffrey C. Herold

Title: FLEXIBLE TRAVEL BAG WITH INTEGRATED SUPPORT TO PROTECT BAG FROM WEAR

TRP Docket No.: 033905-024 Atty/Secty Initials: AY/rr

Date Mailed: 2/24/05 Docket Due Date: 2/25/05

**The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:**

- ☒ Amendment/Response (8 pgs.)
- ☐ Appeal Brief (_____ pgs.) (in triplicate)
- ☐ Application - Utility (_____ pgs. with cover & abstract)
- ☐ Application – Rule 1.53(b) Continuation (_____ pgs.)
- ☐ Application – Rule 1.53(b) Division (_____ pgs.)
- ☐ Application – Rule 1.53(b) CIP (_____ pgs.)
- ☐ Application – Rule 1.53(d) CPA (_____ pgs.)
- ☐ Application – PCT (_____ pgs.)
- ☐ Application – Provisional (_____ pgs.)
- ☐ Assignment and Cover Sheet
- ☐ Certificate of Correction
- ☐ Certificate of Mailing
- ☐ Declaration & POA (_____ pgs.)
- ☐ Fee Transmittal
- ☐ Drawings (informal):
  _____ # of sheets includes _____ figures
- ☐ Other:

- ☐ IDS & PTO 1449 (_____ pgs.)
- ☐ _____ Pieces of Prior Art Enclosed
- ☐ Issue Fee Transmittal
- ☐ Submission of Formal Drawings:
  _____ # of sheets includes _____ figures
- ☐ Notice of Appeal
- ☒ Postcard
- ☐ Preliminary Amendment (_____ pgs.)
- ☐ Reply Brief (_____ pgs.)
- ☐ Req and Cert. Not to Publish – Rule 1.213
- ☐ Request for Continued Examination (RCE) (_____ pgs.)
- ☐ Request for Extension of Time _____ Month(s)
- ☐ Response to Notice to File Missing Parts
- ☐ Copy of PTO Notice to File Missing Parts
- ☒ Transmittal Letter (original & copy)
- ☐ Express Mail No.: _____
- ☐ Check(s) $_____
- ☐ Deposit Acct. No. 50-1698 $_____
  Patent Code: _____
  Client/Matter # 33905 - 24